OPINION 884

MUSCA LATERALIS LINNAEUS, 1758 (INSECTA, DIPTERA): SUPPRESSED UNDER THE PLENARY POWERS

RULING.—(1) Under the plenary powers the specific name *lateralis* Linnaeus, 1758, as published in the binomen *Musca lateralis*, is hereby suppressed for the purposes of the Law of Priority, but not for those of the Law of Homonymy.

(2) The specific name *canicularis* Linnaeus, 1761, as published in the binomen *Musca canicularis* is hereby placed on the Official List of Specific Names in Zoology, with the Name Number 2304.

(3) The specific name *lateralis* Linnaeus, 1758, as published in the binomen *Musca lateralis* (as suppressed under the plenary powers in (1) above) is hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name Number 906.

HISTORY OF THE CASE (Z.N.(S.) 1764)

The present case was submitted to the office of the Commission by Dr. A. C. Pont and the late Dr. J. G. Chillcott in June 1966. The application was sent to the printer on 8 July 1966 and was published on 20 December 1966 in *Bull. zool. Nomencl.* **23** : 241–242. Public Notice of the possible use of the plenary powers in the present case was given in the same part of the *Bulletin* as well as to the other prescribed serial publications (Constitution Art. 12b; *Bull. zool. Nomencl.* **21** : 184) and to seven entomological serials. No comment was received.

DECISION OF THE COMMISSION

On 19 August 1968 the Members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (68)31 either for or against the proposal set out in *Bull. zool. Nomencl.* **23** : 242. At the close of the prescribed voting period on 19 November 1968 the state of the voting was as follows:

Affirmative votes—twenty-two (22), received in the following order: China, Simpson, Vokes, Munroe, Mayr, Holthuis, Uchida, Eisenmann, Obruchev, Mertens, Kraus, Lemche, Jaczewski, Tortonese, Starobogatov, Bonnet, Sabrosky, Ride, Binder, Brinck, Alvarado, Forest.

Negative votes—none (0).

Voting Papers not returned—one (1): Melville.

Commissioner do Amaral returned a late affirmative vote.

However, Commissioners Holthuis and Melville pointed out that in this request the applicants had asked for the suppression of *Musca lateralis* Linnaeus, 1758, for the purposes of both the Law of Priority and the Law of Homonymy, which would have the effect of validating any use of the specific name after Linnaeus, 1758. Since the applicants had not intended this effect, a second vote was taken.

On 10 February 1969 the Members of the Commission were invited to vote under the One-Month Rule on Voting Paper (O.M.) (69)2, which proposed that

Musca lateralis Linnaeus, 1758, be suppressed for the Law of Priority alone. At the close of the prescribed voting period on 10 March 1969 the state of the voting was as follows:

Affirmative votes—twenty (20), received in the following order: China, Holthuis, Forest, Simpson, Vokes, Alvarado, Tortonese, Jaczewski, Lemche, Ride, Eisenmann, Melville, Obruchev, Bonnet, Binder, Mertens, Kraus, Brinck, Sabrosky, Mayr.

Negative votes—none (0).

Voting Papers not returned—three (3): do Amaral, Evans, Munroe.

Commissioners Starobogatov and Uchida returned late affirmative votes.

Original References

The following are the original references for the names placed on the Official List and Index by the ruling given in the present Opinion:

canicularis, *Musca*, Linnaeus, 1761, *Fauna svec.* (ed. 2) : 454

lateralis, *Musca*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 597

CERTIFICATE

We certify that the votes cast on Voting Papers (68)31 and (O.M.) (69)2 were cast as set out above, that the proposal contained in Voting Paper (68)31, as modified by Voting Paper (O.M.) (69)2, has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission, is truly recorded in the present Opinion No. 884.

R. V. MELVILLE
Secretary

W. E. CHINA
Assistant Secretary

International Commission on Zoological Nomenclature
London
18 *March* 1969